

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. 23-CR-00192-02
	§	
JUAN JOSE BARBOSA	§	

FACTUAL STATEMENT IN SUPPORT OF PLEA AGREEMENT

The United States of America, by and through Alamdar S. Hamdani, United States Attorney for the Southern District of Texas and Leslie Cortez, Assistant United States Attorney, and the defendant, **JUAN JOSE BARBOSA** and the defendant's counsel, hereby stipulate as follows:

I.

If this case proceeded to trial, the United States of America would prove each element of the offense beyond a reasonable doubt. The following facts, among others, would be offered to establish the Defendant's guilt:

II.

On January 27, 2023, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Laredo Field Office received a report from the Crime Gun Intelligence Center (CGIC) that Ulises Salinas purchased a Barrett, model 82A1, .50 caliber rifle with serial number AA015294 and that the firearm would be shipped to a Federal Firearms Licensee (FFL), namely RAK Armory, in Laredo, Texas. The price for similar firearms range between \$8,500-\$11,000. A review of Salinas's background revealed that he crossed into Mexico frequently, and he did not have the income to support purchasing such an expensive firearm.

On February 2, 2023, ATF Agents observed Salinas arrive at RAK Armory with another individual who was driving a white Ford F-150 truck. The F-150 was registered to Juan Jose Barbosa. Salinas attempted to pick up the firearm, but there was a delay in its arrival and he would have to come back at a later date. He provided his identification and signed a certification on the ATF Form 4473 on this date. Question 10 required that Salinas enter his current address. Salinas listed an address on Stallion Lane in Laredo, Texas. Question 21.a. asked if Salinas was the “actual transferee/buyer” of the listed firearm. The question is followed with a warning in bold letters that **“You are not the actual transferee/buyer if you are acquiring any of the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee [RAK Armory] cannot transfer any of the firearm(s) to you.”** Salinas answered that he was the actual transferee/buyer before he certified the form and also recertified his current address as being on Stallion Lane.

The night of February 8, 2023, Salinas crossed into the United States from Mexico. On February 9, 2023, ATF agents conducted surveillance on RAK Armory. During surveillance, agents observed Salinas arrive, pick up the firearm and place it in the back seat of a Chrysler 200 sedan, and depart from the business. Prior to being allowed to take possession of the firearm on February 9, 2023, by RAK Armory, Salinas signed Section B of the initial ATF Form 4473 in which he recertified that his initial responses on the ATF Form 4473 were true and correct, which included his affirmative answer to being the actual transferee/buyer.

An officer with the Laredo Police Department (LPD) conducted a traffic stop at the intersection of McPherson Avenue and Oklahoma Street in Laredo, Texas because Salinas failed to use his turn signal twice. ATF Special Agents (SAs) arrived at the traffic stop and spoke with

Salinas briefly. SAs observed the firearm in the back seat of Salinas's vehicle in plain view. Salinas agreed to answer questions at the ATF Laredo Field Office.

During the interview, Salinas admitted that he had purchased the firearm for his friend Juan Jose Barbosa. Barbosa paid Salinas \$750.00 USD to purchase the .50 caliber rifle and was going to pay him an additional \$250.00 USD once Salinas delivered the firearm to Barbosa. Barbosa gave Salinas \$9,215.00 USD in cash to put in Salinas's bank account so that Salinas could purchase the firearm for Barbosa. Salinas used his Gunbroker.com account to purchase the firearm over the internet on the FFL's website. Gunbroker.com accepted the purchase and shipped the firearm to RAK Armory to record the transfer of the firearm to Salinas. Salinas then went to the RAK Armory to fill out the ATF Form 4473 for the firearm.

Salinas admitted that he had provided two false statements on the certified and recertified ATF Form 4474. Salinas admitted that his current address on February 2, 2023, when he first filed out and certified the form, and on February 9, 2023, the date of his recertification of the form. He was not the actual transferee/buyer of the firearm and he did not reside at the address he provided on the form.

Salinas said that Barbosa wanted the firearm, and Salinas agreed to straw purchase the firearm for Barbosa. After Salinas provided the location where he would later deliver the firearm to Barbosa in Laredo, Texas, agents conducted surveillance of the location. Barbosa arrived driving a F-150 truck. Agents made contact with Barbosa, detained him and transported him to the ATF Laredo Field Office for an interview.

During the interview, Barbosa admitted that he hired Salinas to straw purchase the firearm and gave Salinas over \$10,000 USD to buy the firearm under Salinas's name. Barbosa admitted

that he drove to where agents intercepted him because that was the meeting place where Salinas would deliver the firearm to Barbosa.

III.

Defendant, **JOSE BARBOSA** hereby confesses and judicially admits that on **February 2, 2023**, he knowingly **made false statements during purchase of a firearm**, in violation of Title **18**, United States Code, Section **922(a)(6)** and Title **18**, United States Code, Section **2**.

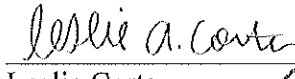


JUAN JOSE BARBOSA
Defendant

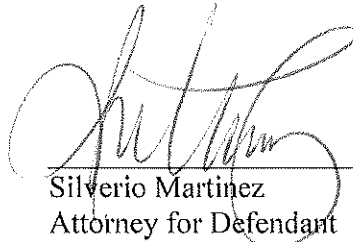
APPROVED:

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